

U.S. Serial No. 10/662,739
Reply to Office Action of February 7, 2007

PATENT
450111-04806

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-15 are pending. Claims 1, 3, 10, 12 and 14, which are independent, are hereby amended. Support for this amendment is provided throughout the Specification as originally filed, and specifically at page 11. No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled. The Abstract is hereby amended, thereby obviating the objection. Paragraph [0032] is hereby amended to correct a minor typographical error. Claim 10 is also amended to correct a minor typographical error. Claim 8 is hereby amended to provide sufficient antecedent basis.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-15 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over the art of record as described in the Office Action dated February 7, 2007.

Applicant respectfully submits that the present claims are patentable over the cited references for at least the following reasons.

Claim 1 recites, *inter alia*:

"...wherein several strong paths are identified, prior to combining the outputs of the correlator branches, using a plurality of parallel

U.S. Serial No. 10/662,739
Reply to Office Action of February 7, 2007

PATENT
450111-04806

fingers that are independent of a CDMA demodulator...."
(Emphasis added)

Applicant respectfully submits that nothing has been found in Koch or MacEahern that would teach or suggest the above-identified feature of claim 1. Specifically, neither reference describes parallel fingers that operate independent of a CDMA demodulator, as recited in claim 1. Indeed, as understood by Applicant, Koch shows a filter associated with each receiver circuit. (See Koch, Figure 1).

Therefore, for at least these reasons, independent claim 1 is patentable.

Independent claims 3, 10, 12 and 14 are similar, or somewhat similar, in scope and are therefore patentable for similar, or somewhat similar, reasons.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

U.S. Serial No. 10/662,739
Reply to Office Action of February 7, 2007

PATENT
450111-04806

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicant respectfully submits that all of the claims are in condition for allowance and requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By



Thomas F. Presson
Reg. No. 41,442
(212) 588-0800